

30. A composition of claim 1 wherein the organic solvent is selected from the group consisting of [propylene carbonate, diethyl malonate, ethylene carbonate, dimethyl carbonate, 2-ethoxy ethyl acetate, ethyl acetate, methyl acetate, ethyl butyrate, diethyl glutarate, tributyl citrate, diethyl succinate, isopropyl myristate, dimethyl adipate, dimethyl succinate, dimethyl oxalate, dimethyl citrate, triethyl citrate, acetyl tributyl citrate, glyceryl triacetate, methyl ethyl ketone, tetrahydrofuran,] esters of carbonic acid and alkyl alcohols, alkyl esters of mono-, di-, and tricarboxylic acids, and alkyl ketones.
31. A composition of claim 1 wherein the organic solvent is selected from the group consisting of propylene carbonate, diethyl malonate, ethylene carbonate, dimethyl carbonate, 2-ethoxy ethyl acetate, ethyl acetate, methyl acetate, ethyl butyrate, diethyl glutonate, tributyl citrate, diethyl succinate, tributyrin, isopropyl myristate, dimethyl adipate, dimethyl succinate, dimethyl oxalate, dimethyl citrate, triethyl citrate, acetyl tributyl citrate, glyceryl triacetate, methyl ethyl ketone[, tetrahydrofuran,].

REMARKS

Applicant has reviewed and considered the Office Action mailed on October 30, 2002, and the references cited therewith.

Claims 1, 30 and 31 are amended. Claims 1-3, 14, 15, 19, 28-31 are now pending in this application.

§102a Rejection of the Claims

The Examiner has rejected claims 1-3, 14, 15, 19 and 28-31 as being anticipated by WO 97/19,676 (WO '676).

The Examiner asserts that the intermediate mixture of example 9 of WO '676 anticipates Applicant's claims. At example 9, as provided by the equivalent of WO'676, the US '204 patent, WO '676 teaches an intermediate mixture of polymer, ethyl acetate, water, buffer and a peptide drug that is combined with aqueous polyvinyl alcohol and formed into solid microcapsules. The